

REMARKS

Reconsideration of the captioned application as amended herewith is respectfully requested.

In the office action dated 6 August 2007 ("Office Action"), the Examiner required:

- 1) restriction to one of the inventions set forth in Paragraph I. (claims 1 – 13) and Paragraph II. (claims 14 – 41); and
- 2) election to a single disclosed species for prosecution on the merits

In Applicants' Response to Restriction Requirement ("Response"), Applicants respectfully elected to prosecute the invention of Paragraph II. (claims 14 - 41) with traverse. Applicants now respectfully wish to withdraw such traversal. It is Applicants' understanding that this restriction requirement now will become final, which thereby will cause the remaining claims in Paragraph 1 (claims 1 – 13) to become withdrawn.

In this Preliminary Amendment, Applicants have categorized claims 1 – 13 as "withdrawn," and cancelled claims 20, 25, 26, and 38 without prejudice to the refiling of these claims in a subsequent application. In view of the above, Applicants respectfully submit that it is not necessary for Applicants to file a suggested restriction requirement under 37 CFR 1.142(c) in order to place the above-referenced application in compliance with 37 CFR 1.75, and that the claims as presently amended are in compliance therewith.

The Commissioner is hereby authorized to credit any overpayment of any fees which may result in connection with the filing of this communication to Account No. 10-0750/ETH5123USNP/MGM.

It is submitted that the foregoing amendments and remarks place the case in condition for allowance. A notice to that effect is earnestly solicited.

Respectfully submitted,

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